
Bridgeport
SUPERIOR COURT

Short Calendar

Foreclosures

NOTICE

PURSUANT TO P.B. SEC. 23-18, THE PLAINTIFF MUST FILE WITH THE CLERK'S OFFICE A PRELIMINARY STATEMENT OF THE PLAINTIFF'S MONETARY CLAIM AT LEAST FIVE DAYS BEFORE THE HEARING ON THE MOTION FOR JUDGMENT OF FORECLOSURE.

Counsel and pro se parties may inform the court of those matters on this calendar that are "READY" for adjudication by calling the short calendar marking line. MATTERS THAT HAVE NOT BEEN MARKED "READY" FOR ADJUDICATION WILL BE DEEMED "OFF" AND WILL NOT BE DECIDED ON THIS CALENDAR.

MARKING CASES READY

The number for the short calendar marking line is (203) 579-7228. The marking line is in continuous operation from 9:00 A.M. Tuesday through 4:00 P.M. Thursday of the week preceeding the calendar. In the event a state holiday falls on the Friday preceding the scheduled calendar, the recording device will be on from 9:00 A.M. Tuesday through 11:00 A.M. Thursday during that week.

The number for the fax machine is (203) 382-8406. Any party making a marking via fax must use the standard state form. Specific instructions for marking by fax are contained on the form itself.

Regardless of the method of transmittal, counsel and pro se parties are required to provide the following information when making a marking:

(Notice Continued on Last Column)

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NOTICE (continued from Column 1)

- Column number and position on the calendar;
- Name and docket number of the case;
- Marking;
- Full name of the person making the marking and the firm name, if applicable; and
- Confirmation that all counsel and pro se parties of record have been notified of the marking

Counsel and pro se parties shall bring a confirmation of the marking to the short calendar hearing of an arguable matter. This may be in the form of a fax and a transmittal sheet or a detailed note from the person who telephoned the marking to the court.

Counsel and pro se parties need to call the marking line ONLY to mark a matter "READY" for adjudication. Matters that have not been so marked will automatically be deemed "OFF". No "OVER" or "CONTINUED" markings will be accepted.

Counsel and pro se parties must give timely notice to each other of any marking that has been made. Failure to do so may result in sanctions being imposed by the court. If conflicting markings are made, the last one recorded will control.

SHORT CALENDAR NOTICE FOR FORECLOSURE MATTERS

Provided the matter has been marked "READY," argument will be heard on the day scheduled for short calendar on the following motions: "As of Right" motions listed in P.B. § 11-18 including Motions for Judgment of Foreclosure, Deficiency Judgments, Motions to Approve Committee Sale, Deed, Report, Expenses and Fees, Motions to Open Judgment, Motions for Protection from Foreclosure, and Motions for Judgment on the Mortgage Note.

It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion; those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Any "Not As of Right" motion which has printed with an "As of Right" motion may be marked "TAKE PAPERS" or, if oral argument is requested pursuant to P.B. § 11-18, it may be marked "READY." If the "Not as of Right" motion is marked "READY" in conjunction with the "As of Right" motion, the Court will hear the matter on the day scheduled for short calendar. If only the "Not As of Right" motion has been marked "READY," the judge will determine whether oral argument is necessary. If oral argument is necessary, a hearing will be scheduled and the clerk will notify the parties of the hearing date by mail. Those matters for which argument is deemed unnecessary will be decided on the papers.

- An Affidavit of Appraisal should be submitted in lieu of testimony except where fair market value is contested. In the case of deficiency judgments, the appraiser shall testify if the appraisal is lower than the fair market value found at the date of judgment or if the fair market value is contested.

- The following originals should be submitted at the hearing on Motion for Judgment of Strict Foreclosure or Motion for Judgment of Foreclosure by Sale: Mortgage Note and Deed (or Affidavit of Loss), Appraisal Report, Affidavit of Debt with updated computation of the debt to day of judgment, and any necessary military affidavits.

- Opposing parties contesting value must file a Notice of Intent to Argue at least 3 days prior to hearing and must certify copies to all counsel and pro se parties of record.

- After a Foreclosure by Sale, the Motion for Supplemental Judgment is to be filed with a copy of the proposed judgment. If supplemental judgment disbursement is held by the clerk, the debt should be calculated to date of disbursement. No appearance should be necessary for a Motion for Supplemental Judgment.

- The Plaintiff shall file an appropriate affidavit indicating compliance with C.G.S. § 8-265dd (the Emergency Mortgage Assistance Payment Program).

- Defaults will not be granted at the time of judgment unless such motions have been filed pursuant to P.B. § 17-20 (Failure to Appear), P.B. § 17-32 (Failure to Plead), and P.B. § 13-19 (No Disclosure of Defense) and there has been compliance with the notice requirements as prescribed in the respective rules. Defaults for Failure to Appear, except as provided in P. B. § 17-23 through 17-30, and Defaults for Failure to Plead will be granted by the clerk. Defaults for Failure to Disclose a Defense will only be placed on the short calendar or heard after compliance with the notice requirements prescribed in P.B. § 10-12 through 10-17.

Any party desiring argument must file a notice of intent to argue.

All motions for judgment must comply with Standing Order #1. Motions for judgment of foreclosure by sale must comply with Standing Order #2. Motions for deficiency judgments after strict foreclosure must comply with Standing Order #4. All standing orders may be obtained from the Clerk's office or at the state judicial website (www.jud.ct.gov).

NOTICE RE: MERS FORECLOSURES

In any foreclosure action where a Mortgage Electronics Registration System company is the plaintiff, no judgment of foreclosure shall enter unless an assignment of mortgage to the holder of the promissory note has been recorded on the land records and a Motion to Substitute the holder of the note as the plaintiff has been granted or an affidavit is filed with the court that the plaintiff is the actual holder of the promissory note.

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